



An Applera Corporation Business
850 Lincoln Centre Drive
Foster City, CA 94404-1128 U.S.A.
www.appliedbiosystems.com

RECEIVED
CENTRAL FAX CENTER

MAR 11 2004

FAX TRANSMITTAL

OFFICIAL

Date: March 11, 2004

To: Commissioner for Patents

Company: U.S. Patent and Trademark Office

Fax No.: 703-872-9306

From: Mila Kasan for Phil N. Makrogiannis, Reg. No. 47,766
Legal Department
Fax No.: 650-638-6677
Telephone No.: 650-638-6464
Email: kasanmt@applera.com

Subject: Information Disclosure Statement
U.S. Patent Application No. 10/735,339
Filing Date: December 12, 2003
In re Application of: King, Howard
Title: Excitation and Emission Filter

Our File: 5101 US

No. of pages (including cover sheet): 5

Message:

Attached is an Information Disclosure Statement for the above-identified patent application.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306 on March 11, 2004.

Mila T. Kasan

Name

Mila T. Kasan

Signature

Note: The information contained in this facsimile message may be attorney-client privileged and may contain confidential information intended only for the use of the individual named above, and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (650) 638-6677 and return the original transmission to us by mail without making a copy. Thank you.

RECEIVED
CENTRAL FAX CENTER

MAR. 11. 2004 3:48PM APPLIED BIOSYSTEMS LEGAL2

NO. 3474 P. 2

MAR 11 2004

OFFICIAL

Docket No. 5101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

King, Howard

Serial No.: 10/735,339

Filed: December 12, 2003

For: EXCITATION AND EMISSION FILTER

Customer No.: 22896

Group Art Unit: To be assigned

Examiner: To be assigned

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306 on

Date of Transmission: March 11, 2004

Signature: M. Kasan
Type Name of Depositing Party: Miles T. Kasan

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449) of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

(a) [] accompanies a new patent application submitted herewith.

(b) [X] is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.

(c) [] as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.

(d) [] as far as is known to the undersigned, is filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114.

Page 2

(e) [] is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

(f) [] is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) and a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

[] Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

[] No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

Page 3

A copy of the items on PTO/SB/08A that are not United States Publications:

are supplied herewith.

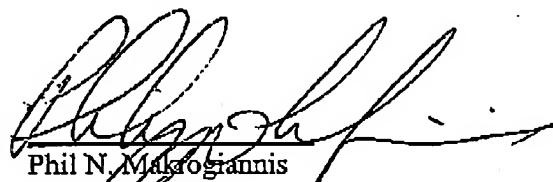
are not supplied because they were previously cited by or submitted to the Office in prior application Serial No. _____, filed _____ and relied upon in this application for an earlier filing date under 35 USC §120.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Date: 3/8/04



Phil N. Makrogiannis
Reg. No. 47,766
Attorney for Applicants

Correspondence Address
Customer Number 22896
Applied Biosystems Division
Applera Corporation
850 Lincoln Centre Drive
Foster City, CA 94404
(650) 638-6492 (Phone)
(650) 638-6677 (Fax)

Please type a plus sign (+) inside this box. →

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
is a collective of information, unless it displays a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use as many sheets as necessary)</p>				<p>Complete if Known</p>	
<p>Sheet</p>		<p>1</p>	<p>of</p>	<p>1</p>	<p>Attorney Docket No.</p>
<p>Application Number</p>		<p>10/735,339</p>			
<p>Filing Date</p>		<p>December 12, 2003</p>			
<p>First Named Inventor</p>		<p>King, Howard</p>			
<p>Group Art Unit</p>		<p>To be assigned</p>			
<p>Examiner Name</p>		<p>To be assigned</p>			

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.10 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC.